

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 4, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-13833 - APPLICANT/OWNER: DFA, LLC, ET AL

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions for Rezoning (ZON-13837), Variances (VAR-14320 and VAR-16049), and Special Use Permits (SUP-13836, SUP-14324 and SUP-14329) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan date stamped 08/15/06 and building elevations date stamped 06/13/06, except as amended by conditions herein.
4. All parking and storage areas shall be paved using asphalt or concrete only.
5. A Master Sign Plan shall be submitted for approval by the City of Las Vegas prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
6. A Waiver from Title 19.12.040.A is hereby approved to allow no perimeter landscape buffer along a portion of the east property line where eight feet is required.
7. A Waiver from Title 19.08.050.D (1a) is hereby approved to allow plain CMU walls along all property lines not facing a public right-of-way where decorative walls containing a minimum of 20 percent contrasting materials are required.
8. An Exception from Title 19.12.040.B is hereby approved to allow no perimeter trees, shrubs or groundcover along a portion of the east property line where trees spaced a minimum of 20 feet on center, shrubs and groundcover are required.

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include a 15-foot perimeter landscape buffer along Clarkway Drive and required shrubs and groundcover as required by Title 19.12 and 19.10.
10. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
11. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet shall meet the standards of LVMC Title 19.12.040.
14. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

18. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall also receive approval from the Nevada Department of Transportation.
19. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
20. Site development to comply with all applicable conditions of approval for ZON-13837 and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a proposed Rental Store with Outside Storage; a 99,000 square-foot covered storage area; a 21,600 square-foot Auto Repair Garage, Major; a 25,200 square-foot hardware store; and Waivers of Perimeter Landscape Buffer and Wall Design Requirements on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The item was abeyed from the 07/27/06 Planning Commission meeting to give the applicant opportunity to meet with surrounding property owners.

EXECUTIVE SUMMARY

The project includes a rental and hardware store, a repair shop for damaged rental goods, covered storage for materials with a loading area, and a large outside storage area. The industrial nature of the project, especially the outside storage component, is inappropriate in this area, as it is surrounded on three sides by single and multi-family residential uses that are prone to excessive noise. Truck traffic on Bonanza Road will increase as a result of this proposal. The proposed buildings, though suitably designed for the proposed rental store and repair shop, are more appropriate in an industrial setting rather than on property adjacent to older single-family and condominium dwellings.

Staff received a revised site plan 08/15/06 that added employee parking, increased landscape buffer width along Clarkway, raised the height of two perimeter walls from eight feet to 10 feet, and clarified which walls in the development are proposed to be decorative.

If approved, staff can support the waiver of landscaping where proposed buildings would abut the east property line. Staff recommends denial of the waiver to allow non-decorative perimeter walls.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|--|
| 07/21/71 | The Board of City Commissioners approved a Rezoning (Z-0039-71) from R-E (Residence Estates) to R-3 (Medium Density Residential) on property generally located on the north side of Bonanza Road between Clarkway Drive and Sunny Place. |
| 09/28/71 | The Planning Commission approved a Plot Plan Review [Z-0039-71(1)] for a proposed two-story 24-unit apartment development at 1804 West Bonanza Road. |

- 06/15/94 The City Council approved a Rezoning (Z-0043-94) from R-E (Residence Estates) to C-1 (Limited Commercial) at 1724 West Bonanza Road. The approval expired 06/15/96.
- 12/21/98 The City Council approved a General Plan Amendment (GPA-0014-98) from M (Medium Density Residential) to SC (Service Commercial) and a request for Rezoning (Z-0026-98) from R-E (Residence Estates) to C-1 (Limited Commercial) on 1.0 acre at the northeast corner of Bonanza Road and Clarkway Drive. The Resolution of Intent did not have an expiration date.
- 05/21/03 The City Council approved requests for a General Plan Amendment (GPA-1989) from M (Medium Density Residential) and SC (Service Commercial) to SC (Service Commercial); Rezoning (ZON-1992) from R-3 (Medium Density Residential) to C-1 (Limited Commercial) and Site Development Plan Review (SDR-1991) for a proposed 5,255 square-foot office development on 0.57 acres at 1722 West Bonanza Road. The offices were to be converted from two existing apartment buildings. The Planning Commission and staff recommended approval.
- 01/18/06 The City Council approved a Rezoning (ZON-9925) of property on the south side of Bonanza abutting the current Ahern property from C-2 (General Commercial) and R-E (Residence Estates) to C-M (Commercial/Industrial). The Planning Commission and staff recommended approval.
- 01/30/06 Planning and Development Department staff denied the applicant's request for a Temporary Commercial Permit (TCP-9385) to allow a Temporary Contractor's Construction Yard on a portion of the subject site. The applicant appealed the denial to the Planning Commission.
- 04/05/06 The City Council approved a Variance (VAR-11006) to allow an eight-foot wrought iron fence where four feet is the maximum height allowed and a waiver of the 20 percent contrasting material requirement at 1700, 1710, 1714, 1718, 1722, 1804, 1808, 1812, 1816, and 1824 West Bonanza Road.
- 03/29/06 The Code Enforcement Division of the Neighborhood Services Department indicated that the site failed to pass a compliance inspection.
- 04/24/06 The Code Enforcement Division of the Neighborhood Services Department issued to the applicant a Notice and Order to Comply with Municipal Code. Violations included employee parking on R-E and R-3 zoned property, portable toilet onsite, vacant R-3 zoned property has piles of refuse, waste, asphalt and dirt, and R-E property being used as commercial storage yard.

- 05/17/06 The City Council approved a revision (GPA-9219) to the land use map of the Downtown Redevelopment Area and an ordinance (Ord. #5830) adopting the amended plan. The amended plan includes all parcels within the subject site.
- 05/25/06 The Planning Commission approved the appeal (DIR-11779) of the Director's decision to deny a Temporary Commercial Permit per Title 19.18.100.D that would allow a Temporary Contractor's Construction Yard on 15.54 acres adjacent to the north side of Bonanza Road, approximately 460 feet east of Clarkway Drive. The Temporary Commercial Permit was not to exceed six months from the date of approval.
- 09/07/06 The Planning Commission recommended approval of companion items ZON-13837, VAR-14320, VAR-16049, SUP-13836, SUP-14324 and SUP-14329 concurrently with this application.
- 09/07/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #31/ss).

B) Pre-Application Meeting

- 05/31/06 Staff advised the applicant of the submittal requirements for each application, and established that the Rental Store, Major Auto Repair Garage, and Truck Rental uses were present and would require Special Use Permits. Standards for each use and for site development were reviewed. The applicant was advised to increase screening of the storage area.

C) Neighborhood Meetings

- 08/09/06 Title 19 does not require a neighborhood meeting for this application; however, at the suggestion of the Planning Commission, the applicant did hold a meeting in which 22 members of the public attended. The meeting was to be related to the proposed office project to the east of this site, but most questions were focused on the equipment rental proposal. The following concerns were raised:
- When will the berm [along Washington Avenue] be removed?
 - Why did the berm not have a permit in the first place?
 - Why are the hours of operation exceeding the limit placed by Council in DIR-11779?
 - Why has the landscaping required by DIR-11779 not been installed?
 - How tall will the rental equipment be?
 - What will be stored on site? Can a list of those items be given to the residents?
 - Request for no access to Washington
 - Request to leave site R-E

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 20.53

B) Existing Land Use

Subject Property: Temporary Contractor's Construction Yard and Offices

North: Single-Family Dwellings

South: Equipment Rental Store with Outside Storage

East: Condominiums and Single-Family Dwellings

West: Single-Family Dwellings

C) Planned Land Use

Subject Property: C (Commercial – Downtown Redevelopment Designation)
MXU (Mixed-Use – Downtown Redevelopment Designation)

North: R (Rural Density Residential)

South: I (Industrial – Downtown Redevelopment Designation)

East: MXU (Mixed-Use – Downtown Redevelopment Designation)

West: MXU (Mixed-Use – Downtown Redevelopment Designation)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)

R-3 (Medium Density Residential)

C-1 (Limited Commercial)

North: R-E (Residence Estates)

South: R-E (Residence Estates)

C-2 (General Commercial)

C-M (Commercial/Industrial)

East: R-3 (Medium Density Residential)

R-E (Residence Estates)

West: R-E (Residence Estates)

E) General Plan Compliance

The subject site is designated C (Commercial) and MXU (Mixed Use) by the Downtown Redevelopment Area Land Use Map. A wide range of uses, including low to high-density residential, office, retail and other commercial uses are allowed by these designations. The proposed rental office and storage activities are permitted under these land use categories.

PROJECT DESCRIPTION

The project consists of a proposed 25,200 square-foot rental and retail store, a 21,600 square-foot maintenance garage for rental equipment, and a 99,000 square-foot storage area for industrial supplies. The remainder of the site, with exception of parking and landscaped areas, consists of outdoor storage of vehicles and equipment. A similar operation exists on the south side of Bonanza Road opposite this site. The site is already partially developed for equipment storage, and is allowed to operate as a Temporary Contractor's Construction Yard until November 25, 2006. Several existing buildings will be removed to allow for the proposed structures.

Access to the site is from Bonanza Road, which contains three existing driveways. These driveways do not align with the driveways into the applicant's property to the south; however, the access and a portion of the parking areas have already been paved. A secondary gated access for emergencies only is provided along Washington Avenue. An eight-foot tall wall is proposed along the perimeter of the property except along Bonanza Road, where a wrought iron fence exists. A revised site plan submitted 08/15/06 indicates that perimeter walls adjacent to APNs 139-28-302-015 and 016 will be 10 feet high; these will require a variance. The perimeter wall will be decorative along Washington Avenue; other sections of the wall will be standard CMU, requiring a waiver of commercial development standards. Parking is provided along Bonanza Road behind the required landscape buffer, around the perimeter of the covered storage area, and at the north end of the property along Washington Avenue, labeled as employee parking. Loading spaces are provided along the south end of the covered storage area within a two-lane driveway. All of the storage areas will be paved. A sliding gate will restrict access to the outdoor storage area.

Landscaping consists of 15-foot wide buffers along Washington Avenue, Bonanza Road and Clarkway Drive. An eight-foot buffer is planned along a portion of the east property line, but is interrupted by the placement of the hardware/rental store and maintenance garage at the property line. Trees will occur at required intervals both within the perimeter planters and within the parking area.

Building exteriors will consist of vertical and horizontal metal panels, split-face CMU and aluminum with tinted glazing. The covered storage building consists of prefabricated metal with horizontal siding. The repair shop will contain nine roll-up doors on the west elevation.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required C-2	Provided	Compliance
Min. Lot Size	N/A	0.41 acres	N/A
Min. Lot Width	100 Feet	885 Feet	Y
Min. Setbacks			
• Front	20 Feet	157 Feet	Y
• Side	10 Feet	0 Feet	N
• Corner	15 Feet	77 Feet	Y
• Rear	20 Feet	574 Feet	Y
Max. Lot Coverage	50 %	6 %	Y

Max. Building Height	None	1 Story / 28 Feet	Y
Trash Enclosure	Walled, gated, roofed, 50 feet from residential	Walled, gated, roofed, 200 feet from residential	Y
Loading Zone	4 spaces	500 feet of stacked loading distance	Y
Mech. Equipment	Screened	Screened by parapet	Y

The proposed development is generally in conformance with commercial development standards, assuming that the property is re-mapped or otherwise altered to create parcels meeting the minimum 100-foot lot width requirement. The proposed hardware and repair facility will require a variance from the minimum side yard building setback standard. To this end, VAR-14320 has been submitted. A variance is also required from the residential adjacency setback, which is detailed in the section below. The provided trash enclosure will contain a roof or trellis structure in conformance with the commercial development standards.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

- a) Proximity slope. The height of the covered storage facility is 28 feet, requiring a minimum setback of 84 feet from adjacent single-family residential property to the north as dictated by the 3:1 Proximity Slope. The site plan indicates that the facility will be set back approximately 73 feet from the protected property, thereby requiring a variance. To this end, VAR-14320 has been submitted.
- b) Building setback. A minimum of 10 feet setback is required from the property line of the protected property to meet this standard. The site plan indicates that the facility will be set back approximately 73 feet from the protected property, in compliance with the standard.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Industrial/ Warehousing (Covered Storage)	99,000 SF	1/1,000 SFGFA	99			
Retail (Hardware Store)	25,200 SF	1/250 SF GFA	101			
Auto Repair Garage, Major	21,600 SF	1/200 SF GFA + 5 spaces	113			
Subtotal	145,800 SF		305	8	528	10
TOTAL	145,800 SF		313		538	

The site complies with Title 19 parking requirements. In addition, four loading spaces are required. The south end of the covered storage area is designated for 500 feet of stacking distance for loading and unloading of large vehicles. The revised site plan dated 08/15/06 adds 223 parking spaces to the previous total. Handicapped spaces are provided in the employee parking area; however, the nearest building is approximately 500 feet away from the designated spaces. Staff recommends the additional handicapped spaces be provided adjacent to the retail building.

The Department of Public Works recommends that the easternmost driveway on the site (the one nearest the existing condominium complex) be eliminated to reduce congestion on Bonanza Road. The revised site plan does not show this driveway. A traffic impact analysis will be required as a condition of approval of this site, which will determine whether the proposed driveways are appropriate given the context of the site.

A4) Landscape and Open Space Standards

Pursuant to Title 19.10 and 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	53 Trees	72 Trees
Buffer:			
• Min. Trees (adjacent to residential)	1 – 24” Box Tree/20 Linear Feet	204 Trees	183 Trees
• Min Trees (adjacent to non-residential)	1 – 24” Box Tree/30 Linear Feet	23 Trees	33 Trees
• Min. Zone Width (Bonanza, Washington and Clarkway)	15 Feet		15 Feet
• Min Zone Width (interior PL)	8 Feet		8 Feet, except 0 feet where buildings abut east PL
• Wall height	Min. 6 feet adjacent to residential		8 Feet, except adjacent to APNs 139-28-302-015 and 016 (10')

The provided landscaping generally conforms to Title 19.12 requirements, except for the buffer width along a portion of the east property line, for which a waiver has been requested. In addition, since no planting is feasible where proposed buildings would abut the east property line, an exception to the tree spacing, shrub and groundcover requirements is necessary. These are explained in further detail in the Analysis section below. An eight-foot decorative wall is proposed along the perimeter of the property except along Bonanza Road, where a wrought iron fence already exists, and along the property line adjacent to APNs 139-28-302-015 and 016, where a 10-foot standard block wall is requested. A Variance (VAR-16049) has been submitted to allow the 10-foot wall where eight feet is the maximum allowed.

A5) Sign Standards

Pursuant to Title 19.14, a Master Sign Plan is required for non-residential projects of 15 net acres or greater. The application may be made at a later time, but must be approved prior to issuance of sign permits and a Certificate of Occupancy for any building on the site.

B) General Analysis and Discussion

- Zoning

The site is currently zoned R-E (Residence Estates), R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial), R-3 (Medium Density Residential) and C-1 (Limited Commercial). To allow the more intense uses proposed for the site, the applicant has submitted a Rezoning (ZON-13837) to C-2 (General Commercial) concurrent with this application. The applicant will also submit a reversionary parcel map or commercial subdivision to remove existing internal lot lines on the site, which will allow conformance to C-2 development standards. The Rental Store, Truck Rental and Major Auto Repair Garage uses all require approval of a Special Use Permit prior to operation.

- Site Plan

Additional right-of-way on Bonanza Road must be dedicated as part of the offsite requirements of the companion Rezoning (ZON-13837). As currently proposed, the parking areas along Bonanza Road will abut the property line. Once additional right-of-way is dedicated and improved, the parking area will have to shift north to accommodate the roadway. A new Site Development Plan Review would then be required to move the parking spaces, which must comply with Title 19 requirements. The loading zone is appropriate south of the proposed covered storage area, as it would be located away from existing residential properties and would avoid creating a noise nuisance.

- Waivers

The required 15-foot buffer along Clarkway Drive was provided through the most recent revision to the landscape plan (08/15/06) and no waiver on that side will now be necessary. A Waiver is requested from Title 19.12.040 requiring an eight-foot landscape buffer along the east property line. Because the hardware/rental store and maintenance buildings are proposed along the east property line, the buffer cannot be provided. In addition, it is requested that the planting of trees, shrubs and groundcover be waived (excepted) to allow the buildings a zero setback. Staff does not support the variance that would allow no setback for these buildings; therefore, it cannot support a waiver of the required landscaping that would accommodate this variance.

A Waiver is requested from Title 19.08.050.D (1a), which requires that perimeter walls be decorative and contain a minimum of 20 percent contrasting materials. The applicant proposes plain CMU walls along property lines not facing public streets, as these will be less visible from rights-of-way. Staff also recommends denial of this waiver, as the provision of decorative walls would improve the aesthetic aspect of the development and contribute to the quality of life for residents within the West Las Vegas and Redevelopment Areas.

- Landscape Plan

The landscape plans comply with Title 19 requirements except where waivers are requested. Alternating 24-inch Chilean Mesquite and Desert Museum box trees are proposed along the perimeter and within the parking areas for screening. The plan also indicates that a six-foot foundation planter is proposed along the hardware/rental store building.

- Elevation

The elevations depict buildings suitable for industrial use. Metal components of the buildings facing Bonanza Road and Clarkway Drive should not be highly reflective so as to reduce glare. The roll-up doors of the repair facility will face west, away from rights-of-way. The CMU eastern face of the repair shop and retail facility will create a 20 to 25-foot screening barrier between the site and adjacent condominiums, which is inappropriate.

- Floor Plan

Floor plans were not submitted for this project. The outside storage area should be screened from rights-of-way and view of adjacent residential properties.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The proposed rental store and storage area are generally inappropriate uses where adjacent to existing single and multi-family development. Storage activities are already present on the site without benefit of proper screening.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

Lands within the proposed development area meet the land use classifications of the Downtown Redevelopment Area, but first require approval of a companion application for Rezoning to C-2 (General Commercial), which will allow the uses proposed. The proposed development requires a Variance of residential adjacency setback requirements and a building setback Variance that in effect places a 20 to 25-foot wall along the east property line adjacent to existing condominiums. A Variance is also required to allow 10-foot high walls in the western portion of the site adjacent to residential properties. Waivers are required of the perimeter landscaping standards and commercial development standards with respect to wall design. Signage must first be reviewed and approved through a Master Sign Plan to be submitted at a later date.

3. “Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”

Access to the site is provided by Bonanza Road, a 100-foot right-of-way as designated on the city’s Master Plan of Streets and Highways. This roadway has adequate capacity to serve the proposed use; however, it must be noted that heavy equipment storage is located on the south side of Bonanza Road opposite the proposed development, which invites large truck traffic. Circulation around the site is logical; however, it is recommended that one of the driveways be removed to improve traffic flow on Bonanza Road. It is also recommended that where possible, driveways should be aligned with existing driveways on the south side of Bonanza Road.

4. “Building and landscape materials are appropriate for the areas and for the City;”

Building materials reflect the industrial nature of the uses proposed. They are more suitable for an industrial area with similar surrounding uses. Landscaping materials are appropriate for screening the uses and beautifying the area.

5. “Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”

The building elevations are utilitarian but not unsightly. They create an orderly environment, but are not harmonious with adjacent residential development. The massing of the buildings, especially as proposed along the east property line, are excessive for the area.

6. “Appropriate measures are taken to secure and protect the public health, safety and general welfare.”

The development will be subject to reviews for grading and building permits, and adequate measures will be taken to protect public health, safety, and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

19

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 255 by Planning Dept

APPROVALS 0

PROTESTS 0